

EXHIBIT 2

1
2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK
4 Case No. 09-CIV-9832 (BSJ) (RLE)
5 Case No. 09-CIV-9323 (BSJ) (RLE)
6

7 -----X
8 AUSTIN FENNER and IKIMULISA LIVINGSTON,
9

10 Plaintiffs,
11

12 v.
13

14 NEWS CORPORATION, NYP HOLDINGS, INC.,
15 d/b/a THE NEW YORK POST and DAN GREENFIELD
16 and MICHELLE GOTTHELF,
17

18 Defendants.
19 -----X

20 SANDRA GUZMAN,
21

22 Plaintiff,
23

24 v.
25

26 NEWS CORPORATION, NYP HOLDINGS, INC.,
27 d/b/a THE NEW YORK POST and COL ALLAN, in
28 his official and individual capacities,
29

30 Defendants.
31 -----X

32 CONFIDENTIAL

33 VIDEOTAPED DEPOSITION OF AMY SCIALDONE

34 New York, New York

35 Thursday, June 28, 2012

36 Reported by:

37 Amy A. Rivera, CSR, RPR, CLR

38 JOB NO. 51053

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1 AMY SCIALDONE - CONFIDENTIAL
2 truthfully?

3 A. No.

4 Q. Have you consumed or taken anything
5 today that would affect your ability to think
6 clearly?

7 A. No.

8 Q. Is there any other reason that you
9 might not be able to testify fully and truthfully
10 today?

11 A. No.

12 Q. Now, I want to go over some basic
13 ground rules for the deposition.

14 The first thing is you need to answer
15 verbally so we have a clear record. Is that
16 clear?

17 A. Yes.

18 Q. If you want to take any breaks, that's
19 fine, let me know when you'd like to take one for
20 whatever reason. The only thing I would ask you
21 if there's a question pending, that we answer the
22 question before we take a break. Is that clear?

23 A. Yes.

24 Q. And please wait until I finish the
25 question. A lot of times in conversation people

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1 AMY SCIALDONE - CONFIDENTIAL
2 will jump in, but it's important that I finish my
3 question completely before you answer. Is that
4 clear?

5 A. Yes.

6 Q. The same token, I will try not to cut
7 you off, but you might pause for a reason and you
8 might not be done with your answer and I may begin
9 to ask another question. So please let me know if
10 you're not done with your answer and I start to
11 ask something else, please let me know. Stop me
12 and say, wait, I'm not done with my answer. I
13 need to complete it." Is that clear?

14 A. Yes.

15 Q. If -- if -- if you stop and then I go
16 on and you don't stop me, I'll have to assume that
17 was -- that was your full answer. Is that
18 understood?

19 A. Yes.

20 Q. Now, if you don't understand the
21 question, it's no problem, just ask me to repeat
22 it. I'll try and repeat it or rephrase it, or if
23 you just need to have a question read back, we can
24 have the question repeated. Is that clear?

25 A. Yes.

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1 AMY SCIALDONE - CONFIDENTIAL
2 Q. If -- if you answer a question, it
3 will be assumed that you understand it. So, it's
4 important that you understand the question before
5 you answer. Okay? Is that clear?

6 A. Yes.

7 Q. Now, could you describe your
8 educational background after high school?

9 A. I went to University -- University of
10 Florida and received a bachelor of science in
11 advertising and a minor in marketing.

12 Q. Did you do any postgraduate work?

13 A. No.

14 Q. Have you received any other degrees
15 other than the bachelor of science from the
16 University of Florida?

17 A. No.

18 Q. Now, what is your current job
19 assignment?

20 A. Vice president of human resources for
21 the New York Post.

22 Q. And how long have you been vice
23 president of human resources for the New York
24 Post?

25 A. Six and a half years.

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1 AMY SCIALDONE - CONFIDENTIAL
2 Q. Are you currently head of human
3 resources for the New York Post?

4 MR. PIESCO: Objection.

5 You can answer.

6 A. Yes.

7 Q. So, there's no one in human resources
8 that would be above you, correct?

9 A. Correct.

10 Q. Now, at one point was there a senior
11 vice president of human resources that you
12 reported to?

13 A. Yeah, there was a senior vice
14 president of human resources, marketing and
15 digital media.

16 Q. And you were vice president for a
17 period of time when there was also a senior vice
18 president that you reported to?

19 MR. PIESCO: Objection.

20 You can answer.

21 A. Yes.

22 Q. And who was that senior vice
23 president?

24 A. Jennifer Jehn.

25 Q. Have your job responsibilities --

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<p>1 AMY SCIALDONE - CONFIDENTIAL</p> <p>2 well, actually, strike that.</p> <p>3 When did Jennifer Jehn cease being</p> <p>4 senior vice president at New York Post?</p> <p>5 MR. PIESCO: Objection.</p> <p>6 You can answer.</p> <p>7 A. In 2010.</p> <p>8 Q. Did your job responsibilities change</p> <p>9 in 2010 when Jennifer Jehn left?</p> <p>10 A. Yes.</p> <p>11 Q. How did they change?</p> <p>12 A. I had more broad responsibility and</p> <p>13 decision making.</p> <p>14 Q. So, at that point, you became the head</p> <p>15 of HR for the New York Post?</p> <p>16 A. Yes.</p> <p>17 Q. And did you take over all of</p> <p>18 Ms. Jehn's responsibilities with respect to human</p> <p>19 resources?</p> <p>20 A. Yeah, that's my understanding.</p> <p>21 Q. So, you've been vice president for</p> <p>22 human resources you said about six and a half</p> <p>23 years. Is that right?</p> <p>24 A. Yes.</p> <p>25 Q. Did you work for The Post prior to</p>	<p>1 AMY SCIALDONE - CONFIDENTIAL</p> <p>2 becoming senior -- I'm sorry, strike that.</p> <p>3 Did you work for The Post prior to</p> <p>4 becoming vice president for human resources about</p> <p>5 six and a half years ago?</p> <p>6 A. Yes.</p> <p>7 Q. What position did you have with the</p> <p>8 New York Post prior to becoming vice president for</p> <p>9 human resources?</p> <p>10 A. I was a director of training and</p> <p>11 development.</p> <p>12 Q. Director of training and development</p> <p>13 for what aspect of the company?</p> <p>14 MR. PIESCO: Objection.</p> <p>15 You can answer.</p> <p>16 A. In HR, for all aspects of the company.</p> <p>17 Q. So, you conducted HR training prior to</p> <p>18 becoming vice president of human resources?</p> <p>19 A. Yes.</p> <p>20 Q. And how long were you director of</p> <p>21 training for the New York Post?</p> <p>22 A. Approximately a year.</p> <p>23 Q. One year?</p> <p>24 Did you have any other position with</p> <p>25 the New York Post other than the two we've already</p>
Page 12	Page 13
<p>1 AMY SCIALDONE - CONFIDENTIAL</p> <p>2 discussed?</p> <p>3 MR. PIESCO: Objection.</p> <p>4 You can answer.</p> <p>5 A. Yes, several.</p> <p>6 Q. Okay. What was the next most recent</p> <p>7 position you had with the New York Post before</p> <p>8 being director of training?</p> <p>9 A. Director of sales training and</p> <p>10 development within the sales organization.</p> <p>11 Q. And how long were you director of</p> <p>12 sales training?</p> <p>13 A. About a year.</p> <p>14 Q. And what was your position -- next</p> <p>15 most recent position with the New York Post before</p> <p>16 you became director of sales training?</p> <p>17 A. I was an advertising sales manager.</p> <p>18 Q. How long were you an advertising sales</p> <p>19 manager?</p> <p>20 A. Approximately 10, 11 years.</p> <p>21 Q. Did you have a position with the New</p> <p>22 York Post before you were advertising sales</p> <p>23 manager?</p> <p>24 A. Yes.</p> <p>25 Q. What was that position?</p>	<p>1 AMY SCIALDONE - CONFIDENTIAL</p> <p>2 A. Advertising account executive.</p> <p>3 Q. How long were you an advertising</p> <p>4 account executive?</p> <p>5 A. A couple years.</p> <p>6 Q. Did you have any other positions with</p> <p>7 the New York Post other than those we've just</p> <p>8 covered?</p> <p>9 A. No.</p> <p>10 Q. So, how long in total have you been</p> <p>11 working for the New York Post?</p> <p>12 A. Twenty-one years.</p> <p>13 Q. Have you worked for any companies</p> <p>14 other than the New York Post?</p> <p>15 A. Can you clarify -- during the 21</p> <p>16 years?</p> <p>17 Q. Well, sure. During the 21 years, has</p> <p>18 there been any other employers you've worked for</p> <p>19 other than the New York Post?</p> <p>20 A. No.</p> <p>21 Q. Prior to coming to the New York Post,</p> <p>22 did you have any other employment?</p> <p>23 A. Yes.</p> <p>24 Q. What was the most recent company you</p> <p>25 worked for before you came to the New York Post?</p>

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A. Festival Productions.

Q. What is Festival Productions.

A. An entertainment company.

Q. Is Festival Productions associated with News Corporation in any way?

A. No.

Q. How long were you at Festival Productions?

A. A one-year assignment.

Q. Who did you work for just prior to coming to Festival Productions?

A. Scali, McCabe, Sloves Advertising Agency.

Q. How long did you work for Scali, McCabe Advertising?

A. Two years.

Q. Did you work for anyone else prior to Scali, McCabe Advertising?

A. Grey Advertising.

Q. Grey Advertising?

A. Yes.

Q. Did you work for anyone prior to Grey Advertising?

A. No.

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Q. Is either Scali, McCabe Advertising or Grey Advertising associated with News Corp. in anyway?

A. No.

Q. Do you remember who first hired you to work for the New York Post?

A. Gilda Hicks.

Q. And is Gilda Hicks still with The Post?

A. No.

Q. Do you recall who promoted you from advertising account executive to advertising sales manager?

A. Bob Scott.

Q. Bob Stott?

A. Bob Scott.

Q. Scott?

A. Yeah, Scott.

Q. S-C-O-T-T?

A. Yes.

Q. And do you recall who promoted you to director of sales training?

A. John Ancona.

Q. Who is John Ancona?

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A. The vice president of advertising.

Q. For the New York Post?

A. Yes.

MR. PIESCO: At the time?

THE WITNESS: At the time.

Q. So, he's no longer vice president of advertising?

A. Correct.

Q. Is he -- John Ancona still with the New York Post?

A. No.

Q. And do you recall who promoted you to director of training?

A. I don't.

Q. Okay. Would it have been Jennifer Jehn?

A. No.

Q. Could you describe for me your basic job responsibilities when you were director of training for the New York Post?

A. In the HR department?

Q. Right.

A. Right. I was looking at the entire

organization and how we can implement training

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initiatives, similar things we did in the sales team, to expand them out through the organization.

Q. What kind of training initiatives are you talking about?

A. It began with management essentials training.

Q. Okay. Anything else?

A. I was doing assessments on what the needs were at that point.

Q. When you were director of training for HR at the New York Post, did you conduct any training on harassment in the workplace?

MR. PIESCO: Objection.

You can answer.

A. No.

Q. When you were director of training in HR for the New York Post, did you conduct any training with respect to discrimination in the workplace?

MR. PIESCO: Objection.

You can answer.

A. No, not personally.

Q. When you were director of training, did you conduct any training of employees with

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1 AMY SCIALDONE - CONFIDENTIAL
 2 respect to retaliation in the workplace?
 3 MR. PIESCO: Objection.
 4 You can answer.
 5 A. No, I didn't personally.
 6 Q. When you were director of training, do
 7 you know if anyone conducted training of New York
 8 Post employees with respect to The Post policy
 9 towards harassment in the workplace?
 10 MR. PIESCO: Objection.
 11 You can answer.
 12 A. Yes.
 13 Q. Who was that person or persons?
 14 A. My legal counsel, Jordan Lippner.
 15 Q. Was there anyone else?
 16 A. No.
 17 Q. Just to clarify, was there anyone also
 18 you know of or do you know if there was anyone
 19 else other than Jordan Lippner who conducted
 20 training on harassment in the workplace?
 21 MR. PIESCO: Objection.
 22 You can answer.
 23 A. While I was the director?
 24 Q. Right, when you were the director.
 25 A. When I was the director, Jordan

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1 AMY SCIALDONE - CONFIDENTIAL
 2 Q. Do you know who Paul Carlucci works
 3 for?
 4 MR. PIESCO: Objection.
 5 A. No.
 6 Q. Do you know if he is an employee of
 7 some division or subsidiary of News Corporation?
 8 MR. PIESCO: Objection.
 9 A. I don't know exactly.
 10 Q. I didn't ask you exactly, I'm merely
 11 asking you do you know if he works for some
 12 company affiliated with News Corporation?
 13 MR. PIESCO: Objection.
 14 A. I know he works for the New York Post
 15 and News America Marketing.
 16 Q. So, Paul Carlucci works for News
 17 America Marketing?
 18 MR. PIESCO: Objection.
 19 A. Yes.
 20 Q. And is News America Marketing
 21 affiliated with News Corporation in any way?
 22 MR. PIESCO: Objection.
 23 A. It's my understanding they're a
 24 subsidiary.
 25 Q. Do you have any idea why Paul

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1 AMY SCIALDONE - CONFIDENTIAL
 2 conducted the training for harassment.
 3 Q. Who promoted you to vice president of
 4 human resources?
 5 A. Jennifer Jehn.
 6 Q. And who do you report to now?
 7 A. Paul Carlucci.
 8 Q. Do you know if there were any
 9 discussions when Jennifer Jehn left as to whether
 10 or not there would be another senior vice
 11 president appointed to take over her role in HR?
 12 MR. PIESCO: Objection.
 13 A. No.
 14 Q. Was there ever any discussion as far
 15 as you know of promoting you to senior vice
 16 president of HR?
 17 MR. PIESCO: Objection.
 18 A. No.
 19 Q. And do you currently report to Paul
 20 Carlucci?
 21 A. Yes.
 22 Q. Who is Paul Carlucci?
 23 A. The publisher of the New York Post.
 24 Q. And who does Paul Carlucci report to?
 25 A. I don't know.

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1 AMY SCIALDONE - CONFIDENTIAL
 2 Carlucci, the publisher of The Post, is employed
 3 by News America Marketing?
 4 MR. PIESCO: Objection.
 5 A. I don't know who Paul's employed by.
 6 Q. I thought you just said that Paul
 7 Carlucci works for News America Marketing?
 8 MR. PIESCO: Objection.
 9 A. Paul's the publisher of the New York
 10 Post and oversees News America Marketing.
 11 Q. And he --
 12 A. That's my understanding --
 13 Q. -- he oversees --
 14 A. -- if I misspoke.
 15 Q. He oversees News America Marketing.
 16 MR. CLARK: Now, could you read back
 17 the -- the answer about -- about two
 18 questions ago on News America Marketing?
 19 (Record read.)
 20 BY MR. CLARK:
 21 Q. Okay. So, you testified a minute ago
 22 that Paul Carlucci works for News America
 23 Marketing. Is that correct?
 24 A. That's my understanding.
 25 Q. Okay.

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1 AMY SCIALDONE - CONFIDENTIAL
 2 And do you have any understanding as
 3 to why the publisher of the New York Post works
 4 for News America Marketing?
 5 MR. PIESCO: Objection.
 6 A. No.
 7 Q. Do you know what Paul Carlucci's role
 8 at the paper is?
 9 MR. PIESCO: Objection.
 10 A. At the New York Post?
 11 Q. Right. Actually, let me rephrase
 12 that.
 13 As the publisher, what -- what is the
 14 role of publisher at the New York Post?
 15 MR. PIESCO: Objection.
 16 If you know.
 17 A. I don't know.
 18 Q. You don't know any of his job
 19 responsibilities?
 20 MR. PIESCO: Objection.
 21 Don't guess.
 22 A. No.
 23 Q. Does Paul Carlucci ultimately oversee
 24 human resources decisions made at The Post?
 25 MR. PIESCO: Objection.

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1 AMY SCIALDONE - CONFIDENTIAL
 2 implemented it. We had created and implemented
 3 performance appraisals. We delivered training.
 4 We did recruiting.
 5 Q. Anything else?
 6 A. Those are the major pieces.
 7 Q. Who made the decision to implement
 8 performance appraisals?
 9 A. Paul.
 10 Q. Paul Carlucci?
 11 A. Yes.
 12 Q. And when was that decision made to
 13 implement performance appraisals?
 14 A. I don't know.
 15 Q. When you were involved in recruiting
 16 in the period we just talked about, that is when
 17 you were vice president but before Ms. Jehn left,
 18 were you involved in any attempt to recruit
 19 minorities for the paper?
 20 MR. PIESCO: Objection.
 21 You can answer.
 22 A. All the recruiting we do, we follow
 23 our equal opportunity -- we're an equal
 24 opportunity employer, so we follow that guideline.
 25 And when we advertise, we advertise en masse

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1 AMY SCIALDONE - CONFIDENTIAL
 2 A. I don't know.
 3 Q. Have you ever gone to Paul Carlucci
 4 for a decision about human resources?
 5 MR. PIESCO: Objection.
 6 A. Yes.
 7 Q. So, at least in some instances, Paul
 8 Carlucci had a say after you about human resources
 9 decision, correct?
 10 MR. PIESCO: Objection.
 11 Mischaracterization of the testimony.
 12 Q. Would you agree with that?
 13 A. Can you repeat the question, please?
 14 MR. CLARK: Could you read that back?
 15 (Record read.)
 16 MR. PIESCO: Please note my objection.
 17 A. Yes.
 18 Q. Now, in your -- when you became --
 19 when -- I'm sorry.
 20 When you were vice president of human
 21 resources but before Ms. Jehn left, could you
 22 describe your job responsibilities during that
 23 period of time?
 24 A. I was overseeing the HR team. We had
 25 created a sales development program and

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1 AMY SCIALDONE - CONFIDENTIAL
 2 locations to make sure that we're reaching people
 3 who are interested in our jobs and the best
 4 qualified candidates.
 5 Q. Have you made -- again, though, when
 6 you were in this position and involved in
 7 recruiting, do you know of any efforts
 8 specifically to recruit minorities to work for the
 9 paper?
 10 MR. PIESCO: Objection.
 11 A. We also attended -- I had someone on
 12 my team attend the National Association of Black
 13 Journalists Convention. We hosted interns from
 14 high school who could further stay in touch and
 15 develop.
 16 MR. PIESCO: You need to speak up
 17 because I can't --
 18 THE WITNESS: Okay.
 19 MR. PIESCO: -- with the nose outside.
 20 I'm having trouble.
 21 I'm sorry, Paul.
 22 MR. CLARK: That's fine. It does tend
 23 to get noisy here.
 24 Q. But please continue. You were talking
 25 you hosted interns?

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1 AMY SCIALDONE - CONFIDENTIAL

2 A. I don't know that.

3 Q. Okay. Col Allan -- "he" being Col
4 Allan.

5 Do you know if Dan Greenfield has
6 taken COMPASS?

7 A. I don't recall.

8 Q. Do you know if Dan Greenfield has
9 reviewed the standards of business conduct?

10 A. I don't know.

11 Q. Do you know if Michelle Gotthelf has
12 taken COMPASS?

13 A. I don't recall.

14 Q. Do you know if Michelle Gotthelf has
15 reviewed the standards of business conduct?

16 A. I don't know.

17 Q. Have you ever personally trained New
18 York Post employees about how to file a complaint
19 of employment discrimination?

20 MR. PIESCO: Objection.

21 Paul -- Paul, you want to read that
22 one and try it again?

23 MR. CLARK: Can you read it back?
24 (Record read.)
25

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1 AMY SCIALDONE - CONFIDENTIAL
2 workplace?

3 MR. PIESCO: Objection.

4 You can answer.

5 A. In training, we let people know they
6 should be coming to HR if they have a complaint of
7 any kind, in the standards of business conduct, in
8 the policies, it states the same thing, and that
9 there's an alert line.

10 Q. Have you personally provided that
11 training to New York Post employees?

12 MR. PIESCO: Objection.

13 You can answer.

14 A. In the -- in the management training,
15 I have.

16 Q. Describe for me what you tell
17 employees about how they should make the complaint
18 about discrimination in the workplace.

19 MR. PIESCO: Objection.

20 A. In the training for the managers, we
21 tell them if they are aware of a complaint, that
22 they should call us, call our legal counsel, or
23 the alert line, and make us aware of it.

24 Q. And when you say, "our legal counsel,"
25 are you referring to Jordan Lippner?

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1 AMY SCIALDONE - CONFIDENTIAL

2 BY MR. CLARK:

3 Q. Go ahead.

4 MR. PIESCO: Objection.

5 MR. CLARK: I don't know what your
6 objection is.

7 A. Can you define "trained," "personally
8 trained"?

9 MR. PIESCO: Can you define
10 "complaint."

11 I mean, train them to go file a
12 corporate complaint against The Post?

13 MR. CLARK: No. There are other
14 types -- there are other types of
15 complaints.

16 MR. PIESCO: I -- I get that. I'm
17 just -- I will object to the question.

18 I'm sorry. Answer it, if you
19 understand it.

20 Q. You said -- you said you provided
21 training, correct, ma'am?

22 A. Yes.

23 Q. All I want to know is have you
24 provided training to employees on how to make a
25 complaint or an allegation of harassment in the

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1 AMY SCIALDONE - CONFIDENTIAL

2 A. Yes.

3 Q. Would there be other attorneys other
4 than Jordan Lippner they could complain to?

5 MR. PIESCO: Objection.

6 A. I don't know.

7 Q. And what is the "alert line"?

8 A. It's a confidential number that
9 employees are made aware of if they have any
10 complaints.

11 Q. How are employees made aware of this
12 confidential number?

13 A. It's listed in the standards of
14 business conduct.

15 Q. So, if an employee wanted to know what
16 number to call, they would look in the standards
17 of business conduct?

18 A. Yes.

19 Q. Is this alert line operated by the New
20 York Post?

21 A. No.

22 Q. Who is it operated by?

23 A. I don't know who it's operated by.

24 Q. Is it operated by News Corporation?

25 MR. PIESCO: Objection.

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1 AMY SCIALDONE - CONFIDENTIAL
 2 A. I don't know who it's operated by.
 3 Q. Is it operated by an entity associated
 4 with News Corporation?
 5 MR. PIESCO: Objection.
 6 A. I don't know who it's operated by.
 7 Q. You don't know whether it's operated
 8 by any entity associated with News Corporation?
 9 MR. PIESCO: Objection.
 10 A. I don't know who it's operated by.
 11 Q. That's not the question. I mean, I
 12 assume what you're saying is you don't know
 13 specifically.
 14 A. I don't know.
 15 Q. So, you don't know if it is operated
 16 by a company associated with News Corporation?
 17 MR. PIESCO: Objection.
 18 How many times do you want her to
 19 answer?
 20 MR. CLARK: That's a yes-or-no
 21 question. She answered it --
 22 MR. PIESCO: She did. She said, I
 23 don't know three times. I'm looking at it.
 24 I don't know, I don't know, I don't know.
 25

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1 AMY SCIALDONE - CONFIDENTIAL
 2 discussing ways employees could complain about
 3 harassment in the workplace, and I want to make
 4 sure we've covered all of those.
 5 I think you mentioned a couple. You
 6 mentioned calling alert line, speaking to legal
 7 counsel. Are there any other ways consistent with
 8 the New York Post policy that employees could
 9 complain about harassment in the workplace?
 10 MR. PIESCO: Objection.
 11 She -- she also testified coming to
 12 HR.
 13 THE WITNESS: Yeah, I was going to
 14 clarify that.
 15 MR. PIESCO: That's okay.
 16 Go ahead.
 17 Q. Okay, good. So -- so, coming to -- to
 18 human resources department would be another way?
 19 A. Yes, and their manager directly, or a
 20 supervisor.
 21 Q. Or their -- have -- it would have to
 22 be their direct supervisor or would coming to any
 23 supervisor be appropriate?
 24 A. They could go to any supervisor --
 25 supervisor.

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1 AMY SCIALDONE - CONFIDENTIAL
 2 BY MR. CLARK:
 3 Q. So, your answer is no, you don't know
 4 whether it's associated with News Corporation?
 5 MR. PIESCO: Objection.
 6 Either you know or you don't know.
 7 A. I don't know.
 8 Q. It's a yes or a no, either you know or
 9 you don't?
 10 A. I don't know.
 11 MR. PIESCO: Would you mind if we take
 12 a break?
 13 MR. CLARK: No, that's fine.
 14 How long do you need?
 15 MR. PIESCO: Two minutes? Five
 16 minutes? I just need to use the restroom.
 17 VIDEOGRAPHER: The time is 11:10 a.m.
 18 We're off the record.
 19 (Recess.)
 20 VIDEOGRAPHER: The time is 11:17 a.m.
 21 We're on the record.
 22 BY MR. CLARK:
 23 Q. Ms. Scialdone, when --
 24 A. Yeah.
 25 Q. -- we took our break, we were

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1 AMY SCIALDONE - CONFIDENTIAL
 2 Q. Okay. Are that any other ways that an
 3 employee -- that -- strike that.
 4 Are there any other ways available
 5 under the New York Post policies for an employee
 6 to make a complaint about harassment in the
 7 workplace?
 8 MR. PIESCO: Objection.
 9 You can answer.
 10 A. Those are the ones we discussed.
 11 Q. There's no others -- no others you can
 12 think of today?
 13 MR. PIESCO: Objection. Asked and
 14 answered.
 15 A. No.
 16 Q. Now, would that same -- those same
 17 paths apply to complaints of retaliation in the
 18 workplace?
 19 MR. PIESCO: Objection.
 20 You can answer.
 21 A. Yes.
 22 Q. So, in 2009, was Jennifer Jehn one of
 23 the people that it would be appropriate to
 24 complain to about discrimination in the workplace?
 25 MR. PIESCO: Objection.

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1 AMY SCIALDONE - CONFIDENTIAL
 2 You can answer.
 3 A. If an employee had any complaint, they
 4 could go to Jennifer Jehn, yes.
 5 Q. And would -- would you have been
 6 another person that an employee could complain to
 7 about discrimination in the workplace?
 8 MR. PIESCO: Objection.
 9 You can answer.
 10 A. Yes.
 11 MR. CLARK: I'd like to mark this as
 12 Exhibit 1 -- Scialdone 1.
 13 (Exhibit Scialdone 1, a newspaper
 14 cartoon printout dated February 18, 2009,
 15 was marked for identification at this time.)
 16 BY MR. CLARK:
 17 Q. Ms. Scialdone, we've just marked as
 18 Exhibit 1 a page that has a cartoon on it, and the
 19 page is dated February 18, 2009.
 20 Do you see that?
 21 A. Yes.
 22 Q. Have you ever seen this cartoon
 23 before?
 24 A. Yes.
 25 Q. Is this a cartoon that ran in the New

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1 AMY SCIALDONE - CONFIDENTIAL
 2 can't -- I don't recall the first time I saw it or
 3 what my reaction was.
 4 Q. Okay. So, you were on vacation on
 5 February 18, 2009?
 6 A. Yes.
 7 Q. When did you come back from vacation?
 8 A. The following week.
 9 Q. And did you learn about the cartoon
 10 before you returned from vacation?
 11 A. Yes.
 12 Q. How did you learn about the cartoon
 13 being published?
 14 A. On the radio.
 15 Q. Do you recall when that was?
 16 A. It may have been that afternoon that
 17 it ran.
 18 Q. And what did you hear on the radio
 19 that -- that first time when you learned about the
 20 cartoon?
 21 A. I don't recall exactly, but that there
 22 was concern about it.
 23 Q. What kind of concern?
 24 A. I don't recall exactly.
 25 Q. As you sit here today, do you find

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1 AMY SCIALDONE - CONFIDENTIAL
 2 York Post in February 2009?
 3 A. That's what the date states, yes.
 4 Q. Do you have any reason to think that
 5 date's not correct?
 6 A. I can't hear you with the trucks. I'm
 7 sorry --
 8 Q. I'm sorry --
 9 A. -- can you repeat that?
 10 Q. -- do you have any reason to think
 11 that date is incorrect?
 12 A. No.
 13 Q. When was the first time you saw this
 14 cartoon?
 15 A. I don't recall.
 16 Q. Did you see it before it was published
 17 in the paper?
 18 A. No.
 19 Q. Do you recall if you saw it the day it
 20 was published?
 21 A. I don't recall.
 22 Q. What was your reaction the first time
 23 you saw the cartoon?
 24 MR. PIESCO: Objection.
 25 A. I don't recall. I was on vacation. I

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1 AMY SCIALDONE - CONFIDENTIAL
 2 this cartoon to be personally offensive to you?
 3 MR. PIESCO: Objection.
 4 You can answer.
 5 A. No.
 6 Q. You don't believe this cartoon is
 7 offensive --
 8 MR. PIESCO: Objection.
 9 Q. -- in your opinion?
 10 MR. PIESCO: Asked and answered.
 11 A. No.
 12 Q. Are you aware of the history of
 13 African Americans being depicted as chimpanzees
 14 and apes?
 15 MR. PIESCO: Objection.
 16 A. No.
 17 Q. No, you're not aware of that?
 18 A. No.
 19 Q. As you sit here today, you do not know
 20 that African Americans have been depicted as
 21 chimpanzees?
 22 MR. PIESCO: Objection. Asked and
 23 answered.
 24 A. No.
 25 Q. Prior to returning from vacation, did